



PATENT

ATTORNEY DOCKET NO. 041501-5423

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Woo Hyuk CHOI)	Confirmation No.: 1083
)	
Application No.: 09/843,781)	Group Art Unit: 2871
)	
Filed: April 30, 2001)	Examiner: Z. Qi
)	
For: REPAIR STRUCTURE FOR LIQUID)	Mail Stop Petitions
CRYSTAL DISPLAY AND METHOD)	
OF REPAIRING THE SAME)	

Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22314

Sir:

PETITION TO WITHDRAW ERRONEOUS NOTICE OF ABANDONMENT

A Notice of Abandonment was mailed on June 3, 2008. Applicants respectfully assert that the Notice of Abandonment is erroneous and should be withdrawn. Specifically, the Notice of Abandonment indicates that “[t]he decision by the Board of Patent Appeals and Interference[s] [was] rendered on 25 March 2008 and the period for seeking court review of the decision has expired and there are no allowed claims.” (Emphasis added.) However, Applicants respectfully assert that claims 1, 3-8, 17-19, 21-24, and 26 stand allowed. Specifically, the Examiner’s Answer mailed July 7, 2006 reversed the some of the rejections under appeal and allowed claims 1, 3-8, 17-19, 21-24, and 26. (See section 3 at page 2 of the Examiner’s Answer mailed July 7, 2006.) Moreover, the “Index of Claims” in the Image File Wrapper (IFW) with a date of July 7, 2007 lists claims 1, 3-8, 17-19, 21-24, and 26 as allowed. In telephone

discussions on June 5 and 6, 2008, with Examiner Qi, it was agreed that claims 1, 3-8, 17-19, 21-24, and 26 had been allowed.

Therefore, Applicants respectfully assert that the Notice of Abandonment is erroneous and should be withdrawn because there are allowed claims. Further, as set forth in MPEP 1214.06(II), when claims stand allowed, "[T]he appellant is not required to file a reply." Instead, as set forth in MPEP 1214.06(II), the Examiner should either: (A) issue an Examiner's Amendment to cancel the affirmed rejected claims; or (B) issue a communication requiring Applicants to conform the claims to the allowable subject matter.

In summary, Applicants respectfully assert that Applicants have taken all required actions in a timely manner. As such, Applicants respectfully assert that the Notice of Abandonment mailed June 3, 2008, is erroneous and should be withdrawn.

If any fees are due with this paper, such fees may be charged to Deposit Account No. 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

Robert J. Goodell

Reg. No. 41,040

Dated: June 13, 2008

CUSTOMER NO. 009629

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, NW

Washington, D.C. 20004

Tel.: (202) 739-3000

Fax: (202) 739-3001